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*Counsel for Plaintiff Advance Tuner Warehouse, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ADVANCE TUNER WAREHOUSE, INC.,  
d/b/a NRG INNOVATIONS, a California  
corporation,

Plaintiff,

vs.

U.S. TECHNOLOGY PRODUCT SDN BHD,  
d/b/a WORKS ENGINEERING, a Malaysian  
corporation,

Defendant.

Case No. 2:15-cv-02109-GMN-PAL

**FIRST AMENDED COMPLAINT FOR  
PATENT INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

**INTRODUCTION**

Plaintiff Advance Tuner Warehouse, Inc. ("ATW" or "Plaintiff") files this First Amended Complaint in this action for patent infringement under the patent statutes, 35 U.S.C. § 101 *et*

1 *seq.*, in particular 35 U.S.C. § 271, an action that arises from Defendant's willful infringement of  
2 U.S. Patent No. 7,527,293 ("the '293 Patent") relating to a lockable steering wheel quick-release  
3 unit. ATW seeks injunctive relief, damages, and attorney's fees and costs.

4 On information and belief, Defendant is a foreign company located or based in Malaysia.  
5 In November, 2015 the Defendant made its once-yearly appearance in the United States at the  
6 2015 Specialty Equipment Market Association Show ("2015 SEMA Show") at the Las Vegas  
7 Convention Center in Las Vegas, Nevada, to exhibit and offer its products for sale, including but  
8 not limited to products that infringe ATW's '293 Patent.  
9

10 The 2015 SEMA Show opened on Tuesday, November 3, 2015 and ran through Friday,  
11 November 6, 2015. During this time the Defendant was within this judicial district. When the  
12 2015 SEMA Show ended, the Defendant left the United States and, upon information and belief,  
13 returned to Malaysia. Accordingly, in this action, Plaintiff seeks injunctive relief and damages  
14 (including, but not limited to, statutory damages), attorneys' fees, interest, and costs.  
15

## 16 JURISDICTION AND VENUE

### 17 *Subject Matter Jurisdiction*

18 1. The Court has subject matter jurisdiction over this action for infringement of a U.S.  
19 Patent under the provisions of 28 U.S.C. §§ 1331 and 1338(a).  
20

### 21 *Personal Jurisdiction*

22 2. Defendant U.S. Technology Product SDN BHD, d/b/a Works Engineering  
23 ("Defendant" or "Works Engineering") has transacted substantial business in this judicial district  
24 by offering to sell products as described and claimed in a U.S. patent and/or by conducting other  
25 business in this judicial district sufficient to render it subject to jurisdiction in this district.  
26 Specifically, Defendant has offered for sale in this District products that infringe the '293 Patent  
27 in violation of 35 U.S.C. § 271(a), including but not limited to doing so at the 2015 SEMA  
28

1 Show, as described below. Therefore, the exercise of personal jurisdiction over the Defendant  
2 would not offend traditional notions of fair play and substantial justice.

3 *Venue*

4 3. Venue is proper under 28 U.S.C. § 1400(b) because Defendant is a corporation  
5 subject to personal jurisdiction in this District and is therefore deemed to reside in this District  
6 under 28 U.S.C. § 1391(c)(2). Venue is also proper in this District under 28 U.S.C. § 1391(b)(2)  
7 because a substantial portion of the events giving rise to the claims for relief stated in this  
8 Complaint occurred in this District. Finally, venue is also proper under 28 U.S.C. § 1391(c)(3)  
9 because Defendant is an alien and may be sued in any district.

10 PARTIES

11  
12 4. Plaintiff Advance Tuner Warehouse, Inc., which does business as NRG Innovations,  
13 is a California corporation with its principal place of business at 13668 Valley Boulevard, Unit  
14 F-1, City of Industry, California, 91746.

15  
16 5. ATW believes, and therefore alleges, that Defendant U.S. Technology Product SDN  
17 BHD, which does business as Works Engineering, is a Malaysian corporation with its principal  
18 places of business at No. 4, Jalan Permas 9/10, Bandar Baru Permas Jaya, 81759 Masai, Johor,  
19 Malaysia. See **Exhibit A**.

20 THE '293 PATENT

21 6. The United States Patent Office issued the '293 Patent, entitled "Lockable steering  
22 wheel quick-release unit" to Calvin S. Wang ("the Inventor") on May 5, 2009. A copy of the  
23 '293 Patent is attached as **Exhibit B**.

24  
25 7. The invention of the '293 Patent is a novel vehicle steering wheel quick-release unit  
26 permitting the quick removal of a vehicle's steering wheel for safety or anti-theft purposes and  
27  
28

1 having the capability of locking the steering wheel hub after the steering wheel has been  
2 removed.

3 8. On June 2, 2009, the Inventor assigned the '293 Patent to ATW. A copy of the  
4 assignment is attached as **Exhibit C**.

5  
6 9. In consequence of this assignment, ATW today holds all rights, title, and interest in  
7 the '293 Patent. See **Exhibit D** (USPTO Abstract of Title).

8  
9 10. ATW has the exclusive right under 35 U.S.C. § 154(a)(1) to exclude others from  
10 making, using, offering for sale, selling, or importing its patented invention, including the right  
11 to bring this action for injunctive relief and past and future damages.

12 11. ATW markets and sells products embodying the '293 Patent throughout the United  
13 States and the world.

14 FIRST CAUSE OF ACTION

15 (DEFENDANT'S WILLFUL INFRINGEMENT OF THE '293 PATENT)

16 12. ATW incorporates all paragraphs above by reference.

17 13. Defendant manufactures, advertises, and offers for sale products that infringe the '293  
18 Patent ("Infringing Products"). These include specifically a unit comprising a steering wheel  
19 adapter and a flanged extending hub ("Steering Quick Release") and a steering shaft hub ("Slim  
20 Boss Hub"). See **Exhibits E** (Steering Quick Release) and **F** (Slim Boss Hub), showing  
21 Infringing Products offered for sale on Defendant's website, [worksengineering.co](http://worksengineering.co).

22  
23 14. Defendant offers its products online through its own website,  
24 [www.worksengineering.co](http://www.worksengineering.co), where Defendant boasts that its Steering Quick Release is a "best  
25 seller." See **Exhibit G**. From this website, Defendant makes sales of the Infringing Products  
26  
27  
28

1 directly to the United States; each listing for an Infringing Products that is accessed from the  
2 United States includes the cost of shipping the item to the United States. See **Exhibits E and F**.

3  
4 15. On October 9 and 13, 2015, Defendant made sales of Infringing Products from its  
5 website to a consumer in the United States. See **Exhibits H through K**.

6  
7 16. Defendant also distributes its Infringing Products to third party resellers, many of  
8 whom are also based in Malaysia. These third party resellers sell Defendant's products through  
9 various e-commerce platforms, including eBay Australia and Alibaba.com. See, *e.g.*, **Exhibit L**.

10  
11 17. The 2015 SEMA Show opened on Tuesday, November 3, 2015 and ran through  
12 Friday, November 6, 2015.

13  
14 18. 2015 SEMA Show is the largest trade show in the United States in the high  
15 performance automotive aftermarket industry, the industry in which ATW's products and  
16 Defendant's Infringing Products compete.

17  
18 19. Defendant was a registered exhibitor at the 2015 SEMA Show, where it exhibited in  
19 Booth 73002 in an annex to the Central Hall. **Exhibit M** is a copy of Defendant's exhibitor  
20 information from the 2015 SEMA Show's online exhibitor directory.

21  
22 20. At least as early as Tuesday, November 3, 2015, Defendant was exhibiting sales  
23 literature offering to see the Infringing Products in its booth at the 2015 SEMA Show.

24  
25 21. On November 4, 2015, Plaintiff filed its Complaint in this action. Service was  
26 effected on Defendant's agents at the 2015 SEMA Show on November 5, 2015.

27  
28 22. Defendant has directly infringed and continues to directly infringe the '293 Patent by  
29 making, using, importing, offering to sell, and/or selling (directly or through intermediaries)

1 Steering Quick Releases and Slim Boss Hubs, embodying one or more claims of the '293 Patent  
2 in the United States. 35 U.S.C. § 271(a).

3 23. Specifically, Defendant's Steering Quick Releases and Slim Boss Hubs directly  
4 infringe at least Claim 1, and Defendant's Slim Boss Hubs directly infringe at least Claim 16, of  
5 the '293 Patent.

6 24. Defendant's infringement of the '293 Patent is willful. Defendant's Steering Quick  
7 Release and Slim Boss Hub are slavish copies of ATW's steering quick release and steering shaft  
8 hub that practice the '293 Patent. ATW believes, and therefore alleges, that Defendant used  
9 genuine ATW products to create its infringing Steering Quick Release and Slim Boss Hub. The  
10 packaging of all of ATW's products that practice the '293 Patent includes the registration  
11 number of the '293 Patent, not as fine print but — as shown in **Exhibit N** — as a prominent  
12 graphic element occupying one entire side of the packaging. In other words, Defendant could  
13 not have acquired one of ATW's products that practice the '293 Patent for the purpose of making  
14 an unauthorized copy with having been put on notice that the product was protected by the '293  
15 Patent. For this reason, ATW believes, and therefore alleges, that Defendant had knowledge of  
16 the '293 Patent and that Defendant's infringement is therefore willful.

17 25. ATW believes, and therefore alleges, that Defendant's infringement of the '293  
18 Patent will continue unless permanently enjoined.

19 26. ATW has suffered and will continue to suffer irreparable harm from Defendant's  
20 infringement of the '293 Patent, including, *inter alia*, injury to its business results, prospects,  
21 goodwill, and market presence and through the erosion of ATW's statutory right to exclude  
22 others from practicing the claimed invention.

23 27. ATW has suffered and will continue to suffer monetary damages from Defendant's  
24 infringement of the '293 Patent.

28. As a consequence of Defendant's infringement, ATW is entitled to relief as set forth below.

PRAYER FOR RELIEF

WHEREFORE, ATW prays that the Court enter judgment as follows:

- A. Holding that Defendant has violated 35 U.S.C. § 271 by willfully infringing one or more claims of the '293 Patent, literally and/or under the doctrine of equivalents;
- B. Permanently enjoining Defendant and its respective agents, servants, officers, directors, employees and all persons acting in concert with them, directly or indirectly, from infringing the '293 Patent;
- C. Permanently enjoining Defendant and its respective agents, servants, officers, directors, employees, and all persons acting in concert with them, directly or indirectly, from making sales of the Infringing Products to consumers in the United States, whether through its own website or through third party resellers;
- D. Ordering Defendant to account for and pay to ATW the damages to which ATW is entitled as a consequence of Defendant's infringement of the '293 Patent, in an amount to be determined at trial;
- E. Awarding ATW prejudgment interest and post-judgment interest on any damages awarded by reason of Defendant's infringement of the '293 Patent;
- F. Awarding ATW its costs incurred in bringing and maintaining this action, including reasonable attorney fees;
- G. Awarding such other and further relief as this Court may deem just, proper and equitable.



DEMAND FOR JURY TRIAL

ATW demands trial by jury of all issues triable by a jury.

RESPECTFULLY SUBMITTED this 14<sup>th</sup> day of January, 2016.

**HOWARD & HOWARD ATTORNEYS PLLC**

By: /s/ Robert Hernquist  
Robert Hernquist, Nevada Bar No. 10616

—AND—

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